

Appendix 8

Permitted Uses for Lexington Technology Park

Permitted Uses

The following uses are permitted within the CD-10 District subject to review and approval by the SPGA pursuant to Article III, § 135-12 of the 2009 Zoning By-Laws. All Accessory Uses permitted within the CRO District in accordance with Article IV, § 135-16 and Table 1 of the 2009 Zoning By-Laws shall continue to be permitted within this CD-10 District.

Section 1.0 Institutional Uses [A religious or non-profit educational use or child care facility as described in §135-9E, is permitted as a matter of right in the CD-10 District).

- 1.1 Day Care Center, school age child care program, nursery school, kindergarten
- 1.2 Public or private nonprofit college or technical school, trade or vocational school operated for college-age students; includes buildings, land or other facilities used for educational purposes but not including space used for revenue producing purposes not directly associated with the education of students (for space used for revenue producing purposes, see commercial uses).
- 1.3 Public parks, playgrounds, municipal buildings or uses
- 1.4 Museum, art gallery, private library
- 1.5 Non-profit community service center or charitable organization

2.0 Office Uses

- 2.1 Real estate development, management
- 2.2 Finance, credit investment but not in a bank
- 2.3 Medical, dental, psychiatric office, but not a clinic, with related laboratory
- 2.4 Professional services such as law, engineering, architecture, consulting service
- 2.5 Advertising, editing, composition, but not including printing, or other reproduction service
- 2.6 Employment agency, office of a business, professional, labor, civic or social association

- 2.7 Office or manufacturer's representative or salesman with no sales or storage and distribution of products from the premises
- 2.8 Other business, administrative or professional office, not elsewhere classified

3.0 Personal Business Uses

- 3.1 Bank, credit union
- 3.2 ATM machine which may be either a principal use or accessory use
- 3.3 Travel Agency, insurance agency, ticket agency
- 3.4 Photographic services including commercial photography
- 3.5 Photocopying, reproduction services but not commercial printing
- 3.6 For-profit school for instruction in academics, art, skills or vocational training
- 3.7 Medical Clinic for out-patient services
as an accessory use only (in accordance with Article IV, § 135-16 of the 2009 Zoning Bylaws)
- 3.8 ATM machine which may be either a principal use or accessory use with drive-up window or auto-oriented branch bank

4.0 Commercial Recreation, Amusement, Entertainment

- 4.1 Automobile parking lot where the parking spaces do not serve a principal use on the same lot and where no sales or service takes place

5.0 Manufacturing

- 5.1 Laboratory engaged in research, experimental and testing activities, which may include the development of mock-ups and prototypes but not the manufacture of finished products
- 5.2 Manufacturing in the fields of biotechnology, medical, pharmaceutical, physical, biological and behavioral sciences and technology, environmental science, toxicology, genetic engineering, comparative medicine, bioengineering, cell biology, human and animal nutrition including the production of equipment, apparatus, machines and devices for research, development, manufacturing and advance and practical application in any such field or area, and including, office, administrative and support facilities related to any of the foregoing activities. All development proposals shall comply with applicable Federal, State and local laws, regulations and ordinances including, without limitation, laws, regulations and ordinances governing air pollution, water pollution control, noise and illumination.

All manufacturing shall be limited to the Biosafety level limitations contained in the regulations of the Board of Health of the Town of Lexington and the Developer and any lessee or assignee of the Developer shall be deemed to have waived their right to obtain a variance under said regulations to permit activities at a Biosafety level not permitted by such regulations.

The Zoning Board of Appeals may impose conditions in any Special Permit for manufacturing that: (a) All resulting odors, gases and particulate matter from proposed operations be effectively contained to the Property or so disposed of so as not to have an adverse impact on surrounding outside air quality; and (b) All noise, vibration, flashing or lighting (which is continuous and not the result of the short-term operation of emergency generators or other equipment) from manufacturing operations shall not be perceptible normally without instruments either at the boundary line of the Property adjacent to a residential zoning district or at any point within the nearest occupied residential lot more than one-hundred fifty (150) feet from the location of such activity on the Property, whichever is closer to the intended use.

The Applicant, for any Special Permit to engage in manufacturing, shall provide written notice to abutting property owners (within 300 feet of the Property) of the public hearing before the Lexington Board of Health on any application for a Permit from the Lexington Board of Health to engage in the above-referenced activities or for any amendment and renewal thereof.

Notwithstanding anything to the contrary contained in the 2009 Zoning-By-Laws, all research and development uses requiring a permit from the Lexington Board of Health shall be limited to the Biosafety level limitations contained in said Board of Health regulations and the Developer and any lessee or assignee of the Developer shall be deemed to have waived their right to obtain a variance under said regulations to permit activities at a Biosafety level not permitted as of right by such regulations.

5.3 Light manufacturing

6.0 Utilities, Communications and Transportation

6.1 Substations, pumping station or automatic telephone exchange of a regulated public utility

6.2 Radio, Television studio, but without transmitting or receiving towers

6.3 Wireless communication facility in accordance with the 2009 Zoning By-Law

7.0 Operating Standards for All Commercial Uses

The Developer shall comply with the following operational standards for all uses

7.1 All operations are conducted entirely within an enclosed building

7.2 Operations, in part or in whole, conducted outdoors during operating hours and subject to the transition and screening requirements as required by the Zoning Board of Appeals

- 7.3 Storage of equipment and products outdoors related to manufacturing uses during non-operating hours

8.0 Temporary Uses

- 8.1 Temporary structures and uses not otherwise permitted in the district provided the SPGA makes a finding that the proposed structure or use is compatible with the neighborhood (see 135-9F of the 2009 Zoning Bylaw)

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